



ff

Docket No.: 63288-381

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Walter CONARD, et al. :
Serial No.: 10/087,446 : Group Art Unit: N/A
Filed: 03/01/2002 : Examiner: N/A
For: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

PETITION UNDER 37 C.F.R. §1.47

Commissioner for Patents
Washington, DC 20231

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AUG 26 2002
OFFICE OF PETITIONS

Sir:

In response to the Notice of Missing Parts dated May 22, 2002, a petition for a for three (3) month extension of time up to and including August 22, 2002, being filed concurrently herewith, Applicants hereby petition as follows:

A. ALL AVAILABLE JOINT INVENTORS

In accordance with MPEP § 409.03(a), all the available joint inventors, Walter Conard, Patrick Casher, John O'Callaghan, Frederick Hegland, Roy Schoon, and George Rabindran declare that the remaining inventor Daniel Gibbons is unavailable. The available joint inventors, Walter Conard, Patrick Casher, John O'Callaghan, Frederick Hegland, Roy Schoon, and George Rabindran, therefore, declare on behalf of Jie-Ming Yu as required by 37 CFR § 1.64.

08/23/2002 CNGUYEN 00000044 500417 10087446

03 FC:122 130.00 CH

B. PROOF OF REFUSAL

In accordance with MPEP § 409.03(d), Ms. Maribel Barron, executive assistant at Bell & Howell Company, submits an affidavit, attached, that fully describes the exact facts, which are relied upon to establish that a diligent effort was made to contact Daniel Gibbons.

C. LAST KNOWN ADDRESS

In accordance with MPEP §409.03(e), the last known address of Daniel Gibbons 406 N. Beverly Ln., Arlington Heights, Illinois 60004.

D. PETITION FEE

The petition fee of \$130.00 in accordance with 37 CFR 1.117(i) has been authorized to be charged to the deposit account of 500417. Furthermore, the petition fee for an extension of time under 37 CFR. 1.136 of \$920.00 has also been authorized to be charged to the deposit account of 500417.

E. CONCLUSION

As required under 37 CFR 1.136 a three (3) month extension of time fee in the amount of \$920.00 , a petition fee in the amount of \$130.00, and the Notice to File Missing Parts fee in the amount of \$130.00 and the basic filing fee of \$740.00 are hereby authorized to be charged to the deposit account of 500417.

Serial No.: 10/087,446

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "David M. Tennant", with a long horizontal flourish extending to the right.

David M. Tennant
Registration No. 48,362

600 13th Street, N.W.
Washington, DC 20005-3096
(202)756-8000 DT:MWE
Facsimile: (202)756-8087
Date: August 22, 2002

AUG 22 2002
PATENT DIVISION
DECEMBER 1998

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Bell & Howell Company

Application No./Patent No.: 10/087,446

File d/Issue Date: 3/1/02

Entitled: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

Bell & Howell Postal Systems Inc., a Corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: The Inventors

To: Bell & Howell Postal Systems, Inc.

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____

To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____

To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

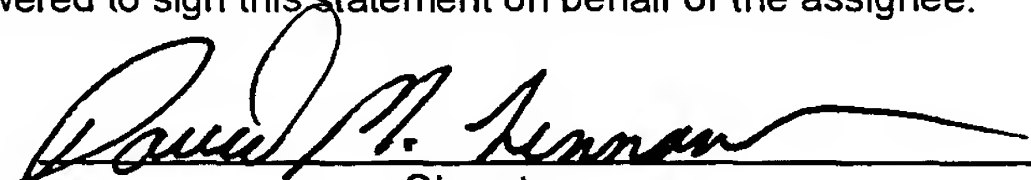
☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFT Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

8-22-02
Date


Signature

David Tennant
Typed or printed name

Title

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Applicant: Walter CONARD, et al. Docket No. 63288-381

Title: MAIL WEIGHING SYSTEM AND SCALE APPARATUS Serial/Reg./Patent No. 10/087,446

Date Sent: 8/22/2002 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No.

☐ Transmittal Letter

☐ New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ CPA ☐ RCE ☐ Prov

☐ Other: pages of Specification ☐ Letter submitting pages of drawings

 pages of Claims ☐ Req. for Approval of Drawing Amendments

 pages of Abstract ☐ Req. for Oral Hearing

 pages of Formal/Informal Drawings ☐ Not of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Small Entity ☒ Large Entity ☐ Rule 312 Amendment/Letter

☒ Declaration/Power of Attorney ☐ Req. for Acknowledgement of Cited Art

☐ Recordation of Assignment/Security Agreement ☐ Issue Fee

☐ Preliminary Amendment ☐ Publication Fee

☒ Response to Missing Parts Notice ☐ Terminal Disclaimer

☐ Resp. to Notice to Correct App. Papers ☐ Petition to Commissioner

☐ Status Inquiry ☐ Status Inquiry

☐ Other Declaration of Material Barron Filed in Support of Petition under 37 C.F.R. 1.47 Petition under 37 C.F.R. 1.47 Petition for Extension of Time Statement under 37 C.F.R. 3.73(b) Power of Attorney by Assignee NO Exhibits A and B Request for Corrected Filing Receipt

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of

☒ Request for 3 month Extension of Time

Check for \$ Charge Deposit Acct. 500417 \$ 1,790.00 Atty Init. DT Tkr. # 5789 Secy. or PL: PPollard

CMS Descrp.: 1-740 5-130 6-920

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED

Check for \$ Charge Deposit Acct. 500417 \$ 40.00 Atty Init. DT Tkr. # 5789 Secy. or PL: PPollard

CMS Descrp.: 4-40

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PETITIONS OFFICE

Applicant: Walter CONARD, et al.

Docket No. 63288-381

Title: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

Serial/Reg./Patent No. 10/087,446

Date Sent: 8/22/2002

☒ Hand Carried

☐ Fax

☐ Electronic

☐ Cert. of Mailing

☐ Express Mail No.

☐ Transmittal Letter

New Patent App

☐ Utility

☐ Design

☐ Cont.

☐ CIP

☐ Div.

☐ PCT

☐ CPA

☐ RCE

☐ Prov

☐ Other:

pages of Specification

pages of Claims

pages of Abstract

pages of Formal/Informal Drawings

☒ Small Entity

☒ Large Entity

☒ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☐ Preliminary Amendment

☒ Response to Missing Parts Notice

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Check for \$

☒

Charge Deposit Acct. 500417 \$

1,790.00

Atty Init

DT

Tkpr. #

5789

Secy. or Pl.

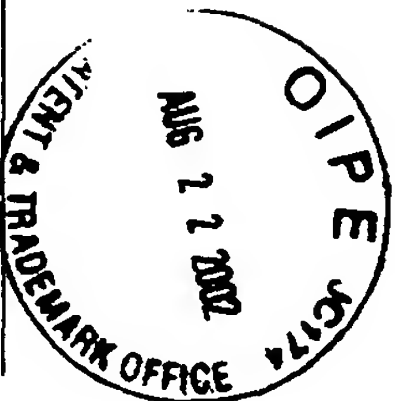
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CMS Descrip.: 1-740

5-130

6-920

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☒

Corrected Filing Receipt

☐ Publication Fee

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

Other Declaration of Maribel Barron Filed in Support of Petition

under 37 C.F.R. 1.47 Petition under 37 C.F.R. 1.47, Petition for

Extension of Time, Statement under 37 C.F.R. 3.73(b), Power

of Attorney by Assignee, 10. Exhibits A and B, Request for

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APR 25 2003

OFFICE OF PETITIONS

Check for \$

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Charge Deposit Acct. 500417 \$

Atty Init

DT

Tkpr. #

5789

Secy. or Pl.

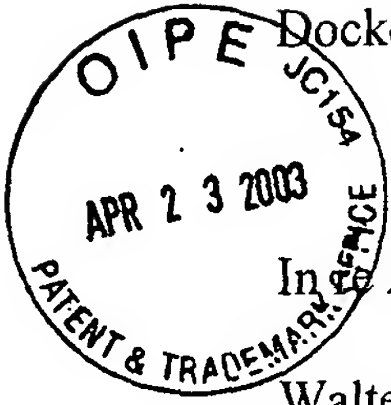
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PATENT

Docket No.: 63288-381



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Walter CONARD, et al.

Serial No.: 10/087,446

Group Art Unit: 2841

Filed: March 01, 2002

Examiner:

For: MAIL WEIGHING SYSTEM AND SCALE APPARATUS

**RESPONSE TO DECISION REFUSING
STATUS UNDER 37 C.F.R. §1.47(a)**

Office of Petitions
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
Arlington, VA 22202

Sir:

In response to the Response to Decision Refusing Status Under 37 C.F.R. §1.47(a) dated October 23, 2002, submitted herewith are the following documents for filing in the above-referenced application:

- A. Renewed Petition Under 37 C.F.R. §1.47(a)
- B. Petition for Extension of Time
- C. New Declaration of Maribel Barron Filed in Support of Petition under 37 C.F.R. 1.47(a)
- D. New Inventor Declaration
- E. Copy of the Decision Refusing Status Under 37 C.F.R. §1.47(a)
- F. Copy of the Notice of Missing Parts
- G. U.S. PTO Date Stamped Postcard

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H. Previous Response to Notice of Missing Parts of Application

I. Request for Corrected Filing Receipt

Please charge Deposit Account No. 500417 in the amount of \$1450.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

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600 13th Street, N.W.
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Facsimile: (202)756-8087
Date: April 23, 2003